

Decision No. 55528

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE ATCHISON, TOPEKA)
AND SANTA FE RAILWAY COMPANY, a cor-)
poration, for authority to permit)
the United States of America, Navy)
Department, to construct and operate)
certain trackage upon the railroad)
right of way for its Main Track at)
Fallbrook, near De Luz, County of San)
Diego, State of California.)

Application No. 39365

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on August 23, 1957, applied for authority to permit the United States of America, Navy Department, to construct and operate certain trackage upon the railroad right of way for its main track at Fallbrook near De Luz, County of San Diego, State of California. Said trackage shall include a switch track and crossing frog to provide a rail crossing of the branch line track of the applicant over which said Navy Department will operate equipment and cars connecting with its ammunition depot at Fallbrook, California.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separation or to avoid a grade crossing at the point mentioned; and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is authorized to permit the United States of America, Navy Department, to construct and operate certain trackage upon the railroad right of way for its main track at Fallbrook near De Luz, County of San Diego, State of California, at a location more particularly described in the application and as shown in yellow on the drawing marked Exhibit "A" attached thereto, subject to the following conditions:

1. The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient railway use, the method of operation, and the allocation of other expenses which may be incurred in connection with the use of the crossing shall be agreed to in writing and a certified copy of such agreement shall be filed with the Commission within six months after the date of this order.
2. In the use of the crossing delineated on Exhibit "A" the trains and equipment operated on the Government trackage shall not be operated across said crossing otherwise than in compliance with such regulations as may from time to time be prescribed by the applicant or as may be necessary to meet the standards of safety prescribed or recommended by the Commission. Without limiting the foregoing, unless interlocking signals shall be installed and in use at the said rail crossing, the trains and equipment operated on the Government trackage shall not be operated across said crossing unless the same shall have been brought to a stop not less than 250 feet nor more than 800 feet in advance of the crossing, and a member of the crew shall have proceeded to said crossing, ascertained that no trains or cars of the applicant are operating, and that said crossing may be negotiated with safety and signalled that it is safe to proceed.
3. Stop boards shall be installed at said crossing and movements of trains and equipment of the applicant across said crossing shall be conducted in accordance with rules 98-A and 98-B of the railway company's "Rules Operating Department" described in the application.
4. In the event of simultaneous stops being made by movements on the conflicting routes, the engines, cars or trains of the applicant shall take precedence in the use of the crossing.
5. Operating bulletins of The Atchison, Topeka and Santa Fe Railway Company and the United States of America Navy Department governing the use of the rail crossing herein authorized under the conditions herein outlined shall be filed with the Commission on or before the date when operation over the crossing is commenced.
6. Within thirty days after completion pursuant to this order, the Commission shall be so advised in writing.
7. This authorization shall become void if not exercised within one year unless time be extended or if above conditions are not complied with.

The Commission reserves the right to make such further orders relative to the construction, operation, maintenance and protection of said crossing as it may deem right and proper and to revoke this authorization if, in its judgment, public

convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this _____
4th day of SEPTEMBER, 1957.

[Signature]

President
[Signature]

[Signature]

Commissioners